

DRAFT
MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N.C.

REGULAR MEETING:

20 DECEMBER 2005

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers T. Dianne Bellamy-Small, Sandra G. Carmany, Florence F. Gatten, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips and Donald R. Vaughan. Absent: None. Also present were Mitchell Johnson, City Manager; Linda Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

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Taking the prerogative of the Chair, Mayor Holliday spoke to the number of community residents and City staff who had served or were currently serving on active duty in the military reserve branches in the Iraq war. After observing a moment of silence, the Mayor read the names of the Greensboro employees into the record.

The Mayor introduced City employee, Calvin Foster, Master Chief with the U.S. Navy Seabees, who led the pledge of allegiance to the flag. Mr. Foster spoke to the history of the Seabees, the responsibilities of his current assignment, and numerous past assignments he performed while serving on active duty.

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The Manager recognized Terrell Brown, employee with the Water Resources Department, who served as courier for the meeting.

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Mayor Holliday outlined the procedure for conduct of the meeting.

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Councilmember Johnson recognized members of various sororities from Bennett College, who were in attendance at the meeting.

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The Mayor invited citizens to address Council as speakers from the floor.

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Ben Holder, resident of Winston-Salem, shared personal opinions and expressed concerns with respect to processes and procedures involved in the City's response to recent building code violations at the Saint James Apartments. Walter "Butch" Simmons, Engineering and Inspections Director, explained the City's actions and procedures in this process.

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Eric Albright, residing at 103 Westminster Drive, serving as Chair of the Greensboro Sports Council, read into the record a resolution adopted by the Sports Council on December 12, 2005, expressing their support for the purchase by the City of the former Canada Dry property on High Point Road for Coliseum related uses.

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Cara Michele Forrest, representing the Homeless Prevention Coalition of Greensboro, thanked the Mayor for issuing a proclamation that declared December 21, 2005 as Homeless Person Day in Greensboro. She invited Council and the public to participate in upcoming events planned on behalf of homeless City residents, advised that volunteers were needed for the upcoming homeless population count, discussed the support of the Greensboro Police Department in the count, provided details about deaths of the homeless during the past and previous years in Greensboro, and thanked Council for their ongoing support.

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Lonnie Cunningham, residing at 1007 Ashe Street and member of the Greensboro Transit Authority Board, requested Council to find funding to expand bus service in eastern Greensboro to include serving the new Walmart store located on Eugene Street. Jim Westmoreland, Transportation Department Director, spoke to the prioritization of this request which was already underway, and advised that a report would be provided in the next few months. In response to Councilmember Johnson, Mr. Westmoreland stated that staff would provide updates over the next 1.5 months on the process progress and what input would be needed from Council.

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Mayor Holliday introduced a resolution honoring the memories of the late Lynai Bree Thorne, Tiffany Helene Kittrell, and Carla Maria Marshall.

After Councilmember Bellamy-Small read the resolution into the record, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Gatten; the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips, and Wells. Noes: None.

255-05 RESOLUTION HONORING THE MEMORY OF THE LATE LYNAI BREE THORNE, TIFFANY HELENE KITRELL AND CARLA MARIA MARSHAL

WHEREAS, on November 15, 2005, this community lost three of its future community leaders with the untimely deaths of Lynai Bree Thorne, Tiffany Helene Kitrell and Carla Maria Marshall;

WHEREAS, Lynai Bree Thorne was a native of Raeford, NC and a graduate of Hoke County High School majored in education at A&T;

WHEREAS, Tiffany Helen Kittrell was a graduate of T.C. Williams High School and majored in Criminal Justice at A&T in hopes of attending law school and becoming a prosecutor;

WHEREAS, Carla Maria Marshall was a graduate of Hoke County High School and majored in Architectural Engineering at A&T in hopes of becoming an Architect;

WHEREAS, the City Council and the people of Greensboro are deeply saddened by the untimely deaths of Lynai Bree Thorne, Tiffany Helene Kitrell and Carla Maria Marshall wish to express their great sense of loss and respect.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the lives of Lynai Bree Thorne, Tiffany Helene Kitrell and Carla Maria Marshall.
2. That a copy of this resolution shall be delivered to the families as a symbol of the gratitude of the people of Greensboro.

(Signed) Yvonne Johnson

Councilmember Bellamy-Small presented copies of the resolution to Mable Scott, Associate Vice Chancellor of

University Relations at A&T State University, who provided brief remarks and offered to deliver the resolution to the honored student's families.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits for property located north of Brightwood School Road- 53.28 acres; and so that these matters could be discussed together, an ordinance establishing original zoning from County Zoning Agricultural and rezoning from City Zoning RS-12 Residential Single Family to City Zoning- RS-9 Residential Single Family for property located on the northeast side of Brightwood School Road west of Summit Avenue and west of the terminus of Hicone Road.

Richard "Dick" Hails, Planning Department Director, presented a context map and slides to describe the subject property and surrounding area. He read into the record two conditions attached to the proposed ordinance and stated the Zoning Commission had recommended approval of the ordinance.

The Mayor asked if anyone present wished to speak to these matters.

The following speakers spoke in favor of the request:

Jerome Pearson, residing at 3402 Wynnewood Drive, spoke to his involvement in the proposed development project, provided information for illustrative purposes, and spoke to details regarding various entities the annexation and zoning ordinances would impact.

The Mayor asked if anyone present wished to speak in opposition to the proposed ordinances.

There being no one present who wished to speak in opposition, Councilmember Johnson moved that the public hearing be closed. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

Mr. Hails noted the transitional characteristics from rural to urban housing in the area of the subject property; stated the Generalized Future Land Use Map called for low residential use consistent with the 3-5 units per acre requested in this case; and noted that the proposal supported compact community, diverse housing, and mixed neighborhoods. He stated an open space dedication would be requested along drainage ways and that staff recommended adoption of the proposed ordinances.

Councilmember Johnson moved adoption of the ordinance annexing territory to the corporate limits for property located north of Brightwood School Road- 53.28 acres. The motion was seconded by Councilmember Gatten; the ordinance was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

05-240 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED NORTH OF BRIGHTWOOD SCHOOL ROAD – 53.28 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pipe at the southwestern property corner of Jones Cunningham Enterprises, LLC as recorded in Deed Book 4987, Page 392 in the Office of the Register of Deeds of Guilford County, North Carolina; thence running along the southern property line of said Jones Cunningham Enterprises, LLC S 86°53'51" E 337.78 feet to an existing iron pipe at the northwestern property corner of Nancy R. Rich, Tim Barnett, Sr. and Carol R. Barnette as recorded in Deed Book 4476, Page 1110 in said Guilford County Registry; thence along the western property line of said Rich, Barnett, Sr. and Barnette S 03°09'03" W 172.13 feet to an existing axle at the southwestern property corner of said Rich, Barnett, Sr. and Barnette, said axle being in the northern property line of Dennis D. Kinney and Nancy L. Kinney as recorded in Deed Book 4004, Page 1556 in said Guilford County Registry; thence along said northern property line of said Kinney N 86°23'55" W 175.13 feet to a new iron pipe at the northwestern property corner of said Kinney; thence along Kinney's western

property line S 03°09'03" W 240.36 feet to a point in the southern margin of Hicone Road; thence along said southern margin of Hicone Road S 87°39'58" E 373.29 feet to an existing iron pipe at the northwestern property corner of Jay R. McCollum as described and recorded in Deed Book 3758, Page 233 in said Guilford County Registry; thence along the western line of The Lowe Subdivision as recorded in Plat Book 5, Page 411 in said Guilford County Registry, the following two (2) courses and distances: 1) S 27°11'06" W 978.50 feet to an existing axle; thence 2) S 27°23'16" W 845.30 feet to an existing iron pipe at the southwestern property corner of the North Carolina Department of Transportation; thence N 88°34'37" W 47.48 feet to a point in the existing Greensboro city limits line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS the following six (6) courses and distances: 1) N 26°17'01" W 41.32 feet to a point; thence 2) N 40°41'59" W 154.77 feet to a point; thence 3) N 48°13'29" W 145.01 feet to a point; thence 4) N 55°39'29" W 91.39 feet to a point; thence 5) along a curve to the left having a radius of 1,050.71 feet and an arc length of 379.10 feet, a chord bearing and distance of N 70°01'32" W 377.05 feet to a point; thence 6) N 80°40'38" W 71.72 feet to a point in the eastern property line of Norman Scott White as recorded in Deed Book 4637, Page 285 in said Guilford County Registry; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along White's eastern property line the following two (2) courses and distances: 1) N 00°59'07" E 168.94 feet to an existing iron pipe; thence 2) N 00°57'05" E 1541.03 feet to a point in the southern property line of Horace C. Hodgins, Mildred B. Hodgins, David E. Hodgins, Jr. and Jean H. Hodgins et al as recorded in Deed Book 3190, Page 657 in said Guilford County Registry; thence along said southern property line of said Hodgins S 84°01'34" E 306.31 feet to an existing stone at the southwestern property corner of Carl E. Dickey and Pamela R. Dickey as recorded in Deed Book 5963, Page 2969 in said Guilford County Registry; thence along the southern property line of said Dickey and the southern property line of Robert W. McCuiston, Jr. and Michelle E. Elmore as recorded in Deed Book 4583, Page 865 in said Guilford County Registry, S 85°01'14" E 768.25 feet to the point and place of BEGINNING, and being 53.28± acres, more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after February 28, 2005, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 4/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2005. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after February 28, 2005.

(Signed) Yvonne Johnson

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Councilmember Gatten moved adoption of the ordinance establishing original zoning from County Zoning Agricultural and rezoning from City Zoning RS-12 Residential Single Family to City Zoning- RS-9 Residential Single Family for property located on the northeast side of Brightwood School Road west of Summit Avenue and west of the terminus of Hicone Road. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

05-241 AMENDING OFFICIAL ZONING MAP

NORTHEAST SIDE OF BRIGHTWOOD SCHOOL ROAD WEST OF SUMMIT AVENUE AND WEST OF THE
TERMINUS OF HICONE ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural and rezoning from City Zoning RS-12 Residential Single Family to City Zoning Conditional District – RS-9 Residential Single Family (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at an existing iron pipe at the southwestern property corner of Jones Cunningham Enterprises, LLC as recorded in Deed Book 4987, Page 392 in the Office of the Register of Deeds of Guilford County, North Carolina; thence running along the southern property line of said Jones Cunningham Enterprises, LLC S 86°53'51" E 337.78 feet to an existing iron pipe at the northwestern property corner of Nancy R. Rich, Tim Barnett, Sr. and Carol R. Barnette as recorded in Deed Book 4476, Page 1110 in said Guilford County Registry; thence along the western property line of said Rich, Barnett, Sr. and Barnette S 03°09'03" W 172.13 feet to an existing axle at the southwestern property corner of said Rich, Barnett, Sr. and Barnette, said axle being in the northern property line of Dennis D. Kinney and Nancy L. Kinney as recorded in Deed Book 4004, Page 1556 in said Guilford County Registry; thence along said northern property line of said Kinney N 86°23'55" W 175.13 feet to a new iron pipe at the northwestern property corner of said Kinney; thence along Kinney 's western property line S 03°09'03" W 240.36 feet to a point in the southern margin of Hicone Road; thence along said southern margin of Hicone Road S 87°39'58" E 373.29 feet to an existing iron pipe at the northwestern property corner of Jay R. McCollum as described and recorded in Deed Book 3758, Page 233 in said Guilford County Registry; thence along the western line of The Lowe Subdivision as recorded in Plat Book 5, Page 411 in said Guilford County Registry, the following two (2) courses and distances: 1) S 27°11'06" W 978.50 feet to an existing axle; thence 2) S 27°23'16" W 845.30 feet to a point in the line of John H. Carty, Jr. as recorded in Deed Book 2028, Page 130; thence N 88°34'37" W 215.34 feet to a point in the line of L. Stanford Bailey as recorded in Deed Book 2173, Page 735; thence N25°00'02"W 157.42 feet to a point; thence N55°24'59"W 100.00 feet to a point; thence N77°39'59"W 100.00 feet to a point; thence N82°29'59"W 101.80 feet to a point; thence along a curve to the left a chord course and distance N74°50'28"W 172.74 (radius = 900.71 feet) to a point; thence N80°35'11"W 49.20 feet to a point; thence N00°59'07"E 320.46 feet to a point; thence N00°57'05"E 259.14 feet to a point; thence N00°57'05"E 1,281.89 feet to a point in the southern property line of Horace C. Hodgin, Mildred B. Hodgin, David E. Hodgin, Jr. and Jean H. Hodgin et al as recorded in Deed Book 3190, Page 657 in said Guilford County Registry; thence along said southern property line of said Hodgin S 84°01'34" E 306.31 feet to an existing stone at the southwestern property corner of Carl E. Dickey and Pamela R. Dickey as recorded in Deed Book 5963, Page 2969 in said Guilford County Registry; thence along the southern property line of said Dickey and the southern property line of Robert W. McCuiston, Jr. and Michelle E. Elmore as recorded in Deed Book 4583, Page 865 in said Guilford County Registry, S 85°01'14" E 768.25 feet to the point and place of BEGINNING, being 55.4 acres, more or less, as shown on Boundary Survey for Jerone Pearson Brightwood School Road prepared by Borum, Wade and Associates and dated July 11, 2005.

Section 2. That the original zoning and rezoning to Conditional District – RS-9 Residential Single Family is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Single family residential and accessory uses.
- 2) One public street connection to Brightwood School Road.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Florence Gatten

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Mayor Holliday stated this was the time and place set for a public hearing to consider an ordinance amending Chapter 30, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from the Low Residential to the High Residential land use classification for a portion of the property located on the north side of Freeman Mill Road between Willomore Street and Glenwood Avenue; and so that these matters could be discussed together, an ordinance rezoning from RS-7 Residential Single Family to Conditional District- RM-18 Residential Multifamily with uses limited; for property located on the north side of Freeman Mill Road between Willomore Street and Glenwood Avenue.

Mr. Hails presented a context map and photos to describe the subject property and surrounding area and read into the record the conditions attached to the zoning request.

1. The use shall be limited to multi-family dwellings
2. The height of the buildings shall be limited to two stories
3. The exterior lighting shall be shielded such that it does not generate glare or otherwise allow the light to be viewed from off the property
4. The maximum number of apartments shall be 56
5. Along the western boundary of the property the planting rate shall be 4 canopy trees per 100 linear feet.
6. Security fencing shall be installed along the northern boundary of the property.

He stated that the applicant would propose additional modifications to the conditions and noted that on November 14, 2005 the Zoning Commission voted 5-2 to recommend approval of the zoning request.

The Mayor asked if anyone present wished to speak to these matters.

The following speakers spoke in favor of the request:

Michael Fox, attorney with offices located at 100 North Greene Street and representative of the developer, presented modifications to the proposed conditions to Council for their consideration, which he stated changed the nature of the project from apartments to townhomes or condominiums.

Mr. Fox stated the topography of the subject property, which included a stream, created challenges for development of the site. He explained that the proposed conditions would limit the development to 56 units or less; shared his opinion with respect to the positive impacts he anticipated for the neighborhood from the proposed infill development, and spoke to the transitional nature of the area as a southern gateway to the City.

After stating he had met with area residents on numerous occasions to discuss their concerns Mr. Fox explained how conditions had been modified to address various residents' concerns including crime and safety, rental versus for sale units, and aesthetic construction conditions to fit in with the Glenwood neighborhood. He cited reasons staff supported the request including compatibility with mixed neighborhoods as stated in the Comprehensive Plan and stated the developer would continue to receive neighborhood input. He requested Council to approved the proposed amendment to the zoning request as amended with additional conditions he proposed as follows:

Add the following conditions:

7. Security fencing shall be installed along the western boundary of the property
8. The use shall be installed along the western boundary of the property

Delete condition 1. and condition 4. as read into the record earlier by Mr. Hails.

Councilmember Johnson moved that conditions 7 and 8 be added to the proposed conditions. The motion was seconded by Councilmember Bellamy-Small and unanimously adopted by voice vote of Council.

Councilmember Johnson moved to delete conditions 1 and 4 from the proposed conditions. The motion was seconded by Councilmember Bellamy-Small and unanimously adopted by voice vote of Council.

During discussion of the proposal and characteristics of the area, Mr. Hails advised that the installation of additional landscaping fencing would provide a buffer to adjoining property and noted that the existing stream buffer had not been analyzed with respect to its restrictions on building on the subject property. Mr. Fox presented a sketch plan for illustrative purposes to illustrate the proposed development concept of seven buildings and provided explanation with respect to why single family development was not feasible.

The following speakers spoke against the proposed rezoning.

Bob Cromley, residing at 2400 Freeman Mill Road, spoke to his interest in seeing the area revitalize and redevelop to include medical and professional services and homeownership. He stated neighbors had wanted the proposal changed from residential rentals to townhouses or condominiums for sale and the addition of the fencing condition and suggested other conditions that could be added to gain opposing resident's support.

The City Attorney advised that after January 6, 2006, Council could consider negotiating changes in the public hearing. She suggested that if requested changes were to be made, the meeting be continued to the next meeting in January.

The Mayor advised Mr. Cromley that he could not negotiate conditional terms of the rezoning with Council in this public hearing.

Councilmember Barber and the City Attorney discussed re-advertisement requirements for a proposal with less restrictive conditions.

Norris Thompson, residing at 1629 Willomore Street, presented signatures to Council from residents purportedly against the rezoning. In response to the City Attorney, Mr. Thompson confirmed that he had collected the signatures presented on an un-notarized petition himself. He advised that he had just learned of the change in the request from apartments to condominiums earlier in the day and stated neighbors were willing to work with the developer, but needed an opportunity to review these new developments prior to reaching an agreement.

Johnny Edwards, residing at 1641 Willomore Street, spoke to prior communication between neighbors and the developer and the receipt of the information of new added conditions in the present public hearing. He encouraged Council to exercise independence in their judgment of this matter.

Mitzi Griffin, residing at 914 Glenwood Ave, stated she was president of the Greater Glenwood Neighborhood Association, spoke to rental homes and owner occupied homes and their correlation in terms of vacancy statistics as the basis for the neighborhood's interest in homes for sale versus apartments. She spoke to community efforts to improve the area through working with the Neighborhood Congress and pursuing various sources of grant funding, spoke to communications with Mr. Fox and stated more time was needed to consider the currently proposed revisions to the proposal.

Rebekah Kates, Secretary of the Greater Glenwood Neighborhood Association, residing at 1116 Lexington Avenue, stated more time was needed to review the modified proposal to determine if it met an appropriate level of quality.

Lynn Parish, residing at 400 C Fisher Park Circle, requested Council to continue this matter.

The City Attorney advised that Council could remedy conditions they didn't agree with at the January 10, 2006 Council meeting.

Mr. Fox expressed agreement with the continuance request.

During brief discussion with respect to procedural protocol, the City Attorney advised that if any conditions would be added or deleted that made the proposal less restrictive, they would need to be added at this time so that the case could be re-advertised for the January 10th meeting.

Mr. Fox requested Council to continue this matter to January 10, 2006. He stated his party would not ask to delete conditions to make a less restrictive proposal, and would develop a more restrictive proposal similar to Mr. Cromley's suggestion.

Councilmember Bellamy-Small moved that the rezoning and related Greensboro Connections 2025 Comprehensive Plan amendment ordinances be continued to the January 10, 2006 Council meeting. The motion was seconded by Councilmember Barber and unanimously adopted by Council.

During discussion, Mr. Hails explained the rationale for staff's support of the transition from low density to high density. He noted that the only property access was to Freeman Mill Road, a divided, non-residential thoroughfare and stated the recommendation was based on insulation by the combination of density in the buffered area and access.

Councilmember Phillips expressed concern that the Comprehensive Plan Monitoring Committee opposed this proposal.

Councilmember Gatten questioned whether the Generalized Future Land Use Map was defective and whether it should be amended. She noted that the development was surrounded on three sides by lower density residential development, observed that the current zoning exists consistently with the land use map, stated the area appeared to be stable over time, and expressed her opinions that there was no reason to amend the map and that aspects of density needed to be addressed to determine if the map should be amended.

Mr. Hails noted that when the staff report was written, the proposal under consideration was for 18 units per acre. He stated that the change to 56 units per acre would be acknowledged and factored into the staff report, which he noted had not been fully presented.

Councilmember Bellamy-Small expressed concern with respect to the potential increase in density.

Councilmember Carmany requested including compatibility as a factor in staff reports on infill sites.

Councilmember Barber expressed his agreement with staff's recommendation, shared his opinion that the Generalized Future Land Use Map was arbitrary, and spoke to the impact of prior investments in the area on market forces.

Councilmember Gatten noted difference between past land use map discussions focused on edges of an area and the present discussion in which the focus was on the center of an area.

Councilmember Bellamy-Small stated she had requested Housing and Community Development funds for the past two years to revitalize the Glenwood neighborhood.

Councilmember Wells stated that the rich heritage of the Glenwood area, building conditions that were evidence of its deterioration, and circumstances of the homeless population needed to be considered.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from the Moderate Residential to the High Residential land use classification for a portion of the property located at the northwest quadrant of North Church Street and Berryman Street, and so that these matters could be discussed together, an ordinance rezoning from RM-18 Residential Multifamily to Conditional District-RM-26 Residential Multifamily for property located at the northwest quadrant of North Church Street and Berryman Street.

Mr. Hails presented a context map and photos to describe the subject property and surrounding area. He read the conditions attached to the request into the record and stated the Zoning Commission had recommended approval of the rezoning.

Mayor Holliday asked if anyone present wished to speak to this matter.

The following speaker spoke in favor of the proposed rezoning request.

Mark Isaacson, attorney with offices located at 101 West Friendly Avenue, distributed information to Council and stated he represented the property owner. He stated the land was currently zoned at RM-18, the Greensboro Connections 2025 Comprehensive Plan called for modification, requested in increase in zoning density to equal a net density slightly greater than 18 units per acre, and provided additional technical explanation. Mr. Isaacson reviewed the information presented to Council in detail and noted that the proposed development was comparable to adjacent properties zoned RM-18.

After the Mayor asked if anyone wished to speak in opposition to this property, and no one present indicated they wished to be heard, Councilmember Bellamy-Small moved that the public hearing be closed. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Mr. Hails stated that because the Comprehensive Plan amendment was requested because the current zoning did not conform with the Generalized Future Land Use Map and noted that the proposed changes were not substantive. He noted that the conditions of the rezoning helped make the proposal compatible with the surrounding area and stated that staff recommended approval of the rezoning request.

Councilmember Phillips expressed his opinion with respect to how this case exemplified flaws in the overall Generalized Future Land Use Map.

Councilmember Phillips moved adoption of the ordinance amending Chapter 30, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from the Moderate Residential to the High Residential land use classification for a portion of the property located at the northwest quadrant of North Church Street and Berryman Street. The motion was seconded by Councilmember Anderson; the ordinance was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

05-242 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Generalized Future Land Use Map, and is labeled Figure 4-2; and

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from Moderate Residential to High Residential for a portion of the property located at the northwest quadrant of North Church Street and Berryman Street has been received by the Planning Department; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Generalized Future Land Use Map Figure 4-2 is amended as follows:

- Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.
- Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective on December 20, 2005.

(Signed) Thomas M. Phillips

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Councilmember Gatten thereupon moved adoption of an ordinance rezoning from RM-18 Residential Multifamily to Conditional District-RM-26 Residential Multifamily for property located at the northwest quadrant of North Church Street and Berryman Street. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

05-243 AMENDING OFFICIAL ZONING MAP

NORTHWEST QUADRANT OF NORTH CHURCH STREET AND BERRYMAN STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RM-18 Residential Multifamily to Conditional District – RM-26 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point, said point being the southeast corner of Lot 1, Donald-Latham Properties, as recorded in Plat Book 10, Page 84 in the Office of the Guilford County Register of Deeds, said point also being in the western right-of-way line of North Church Street; thence N85°45'W 482.50 feet to a point; thence N22°11'W 286 feet to a point; thence N78°27'E 440 feet to a point in the western right-of-way line of North Church Street; thence S22°11'E 419.69 feet to the point and place of BEGINNING, said property containing 3.65 acres, more or less, and described as Lots 1, 2, 3, and 4 of Donald-Latham properties as described above.

Section 2. That the rezoning of RM-18 Residential Multifamily to Conditional District – RM-26 Residential Multifamily is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Condominiums designed for sale.
- 2) Maximum number of condominiums shall be 72.
- 3) All buildings shall be constructed substantially of brick building materials.
- 4) Maximum height of condominiums shall be three stories.
- 5) Access shall be limited to one curb cut on North Church Street and one curb cut on Berryman Street

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of adoption.

(Signed) Florence Gatten

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution authorizing on the basis of public necessity curb and gutter installation along McKnight Mill Road from approximately 800 feet east of Utah Street to approximately 50 feet east of Joseph McNeil Avenue.

The Mayor asked if anyone wished to speak to this matter.

There being no one present who wished to be heard, Councilmember Bellamy-Small moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips, and Wells. Noes: None.

258-05 RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS

CURB AND GUTTER TO BE INSTALLED ALONG McKNIGHT MILL ROAD FROM APPROXIMATELY 800 FEET EAST OF UTAH STREET TO APPROXIMATELY 50 FEET EAST OF JOSEPH McNEIL AVENUE

WHEREAS, due notice has been given that on the 20th day of December, 2005 at 5:30 p.m. in the Council Chamber in the Municipal Office Building a public hearing would be held on the improvements hereinafter described and that all objections to the legality of the making of the improvements are required by law to be made in writing, signed in person or by attorney, and filed with the City Clerk at or before the time of the public hearing; and

WHEREAS, the public hearing has now been held and no objections have been made to the making of improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

A. That the street or streets hereinabove set out is/are

McKNIGHT MILL ROAD FROM APPROXIMATELY 800 FEET EAST OF UTAH STREET TO APPROXIMATELY 50 FEET EAST OF JOSEPH McNEIL AVENUE

B. That the local improvements to be made on the street or streets set out above are as follows:

- (a) Roadway Paving Improvements. The street or streets hereinabove named within the limits defined to be paved a maximum 30 feet in width with stone base asphaltic concrete surface, the paving to include grading, construction of storm sewers, and necessary laterals, laying of concrete curbs and gutter, and all other work incidental to the paving.

C. That the proportion of the cost of the improvements to be assessed against the abutting property and the terms of payment will be as provided in the Notice of Public Hearing which was served on the owners of the property to be assessed.

D. That this resolution be published one time in a newspaper published in the City of Greensboro as notice of the matters herein set out.

(Signed) T. Dianne Bellamy-Small

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Moving to the Consent Agenda, Councilmember Gatten removed agenda item 32 and the Mayor removed item from the Consent Agenda. Councilmember Phillips moved adoption of the consent agenda as amended. The motion was seconded by Councilmember Gatten; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips, and Wells. Noes: None.

05-244 AMENDING CHAPTER 2

AN ORDINANCE AMENDING CHAPTER 2 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ADMINISTRATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended by changing the regular meeting date of the City Council of January 3, 2006 to January 10, 2006.

Section 2. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended by changing the regular meeting date of the City Council of January 17, 2006 to January 24, 2006.

Section 3. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended by changing the regular briefing

date of the City Council of January 24, 2006 to January 31, 2006.

Section 4. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended to amend the starting time of the City Council briefing meetings to be 8:30 a.m.

Section 5. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended by canceling the July 4, 2006 meeting of the City Council.

Section 6. That Section 2-16 of the Greensboro Code of Ordinances is hereby amended by changing the regular meeting date of the City Council of August 1, 2006 to July 31, 2006 in order to observe National Night Out.

Section 7. That all laws and clauses of laws in conflict of the provision of this Ordinance are hereby repealed to the extent of such conflict.

Section 8. That this Ordinance shall become effective immediately upon adoption.

(Signed) Thomas M. Phillips

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259-05 RESOLUTION ACCEPTING DEED IN LIEU OF TAXES OF PROPERTY OF JAMES B. RIVENBARK & INTERSTATE OUTLET PARK LLC LOCATED AT 2440-48 RANDLEMAN ROAD

WHEREAS, James B. Rivenbark and Interstate Outlet Park, LLC are the owners of 2440-2448 Randleman Road which has outstanding taxes in the amount of approximately \$14,541.76;

WHEREAS, the property consist of two tracts having a combined acreage of 23.09 and a combined tax value of \$1,201,500.00, a large portion of which is buildable with some restrictions;

WHEREAS, the owners have requested that the City accept a deed for the property in lieu of the outstanding taxes;

WHEREAS, it is deemed in the best interest of the City to accept the aforementioned deed in lieu of the outstanding taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, on behalf of the City of Greensboro, the acceptance of the Deed for the property located at 2440-2448 Randleman Road in lieu of the outstanding taxes is hereby approved and said deed shall be recorded in the Office of the Register of Deeds of Guilford County.

(Signed) Thomas M. Phillips

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260-05 RESOLUTION APPROVING CONTRACT WITH GILLIG CORPORATION FOR THE PURCHASE OF TEN (10) LOW FLOOR DESIGN BUSES WITH AN OPTION TO PURCHASE TEN (10) ADDITIONAL BUSES

WHEREAS, the City of Greensboro and the Greensboro Transit Authority (GTA) wishes to purchase two replacement buses and eight expansion buses;

WHEREAS, at the June 5, 2001 and August 17, 2004 meetings, the City Council adopted budget ordinances for two replacement buses and eight expansion buses;

WHEREAS, after the RFB process that was initiated on July 15, 2005, it was determined that Gillig Corporation, a responsible bidder, submitted the low base and alternate bid for the purchase of these buses with the option to purchase an

additional ten buses in the future; which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

WHEREAS, the Federal Transit Administration (FTA) and the North Carolina Department of Transportation (NCDOT) will participate in ninety percent (90%) of the allowable project costs for the purchase of the replacement and expansion buses;

WHEREAS, the City is required to provide ten percent local matching funds which will be approximately \$3,033,767.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Gillig Corporation is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect with an option to purchase ten additional buses when funding becomes available, payment for the City's ten percent to be made in the amount of \$548,808.00 from Account No. 565-4545-01.6051, and in the amount of \$2,484,959.00 from Account No. 565-4551-01.6051.

(Signed) Thomas M. Phillips

(A tabulation of bids for the purchase of ten low floor design buses with an option to purchase ten additional buses is filed with the above resolution and is hereby referred to and made a part of the minutes.

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261-05 RESOLUTION AUTHORIZING MUNICIPAL/TRAFFIC AGREEMENT WITH NCDOT FOR DESIGN OF THE GREENSBORO TRAFFIC SIGNAL REHABILITATION/REPLACEMENT PROJECT

WHEREAS, NCDOT and the City of Greensboro proposes to make certain traffic control improvements in Project U-4711 within and around the City, said project to consist of the design for the rehabilitation/expansion of the existing centralized traffic signal system in Guilford County, in the City of Greensboro;

WHEREAS, NCDOT proposes to enter into a contract for the preparation of the plans, specifications, and estimate for the design of said project;

WHEREAS, the City of Greensboro has agreed to participate in the costs for said project in accordance with the terms denoted in the Municipal Agreement, said Agreement presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Project U-4711, Guilford County, is hereby formally approved and the Mayor and Clerk are hereby authorized to sign and execute the Agreement with the Department of Transportation for said project.

(Signed) Thomas M. Phillips

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262-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2005-050 WITH SHARPE BROTHERS, INC. FOR THE FRANKLIN BOULEVARD ROADWAY AND SIDEWALK IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the Franklin Boulevard Roadway and Sidewalk improvements project;

WHEREAS, Sharpe Brothers, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$2,840,746.99 as general contractor for Contract No. 2005-050, which bid, in the opinion of the City Council, is

the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Sharpe Brothers, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$2,411,933.29 from Account No. 441-6003-07.6014 Act. No. 01062, in the amount of \$185,841.00 from Account No. 441-6003-07.6015 Act. No. 06115; in the amount of \$225,775.20 from Account No. 401-4531-01.6014 Act. No. 03222 and in the amount of \$17,197.50 from Account No. 401-4531-01.6015 Act. No. 03223.

(Signed) Thomas M. Phillips

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263-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2005-052 WITH TRIANGLE GRADING & PAVING, INC. FOR THE WATER AND SEWER – 2004 ANNEXATION PROJECTS

WHEREAS, after due notice, bids have been received for Water and Sewer – 2004 Annexation Projects;

WHEREAS, Triangle Grading & Paving, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$863,162.00 as general contractor for Contract No. 2005-052, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Triangle Grading & Paving, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$515,928.00 from Account No. 511-7062-01.6017 Activity 04152 and in the amount of \$347,234.00 from Account No. 511-7024-01.6017 Activity 04162.

(Signed) Thomas M. Phillips

(A tabulation of bids for Contract No. 2005-052 for the water and sewer-2004 Annexation Projects is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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264-05 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING PURCHASE OF PROPERTY OF TRANSMONTAIGNE PRODUCT SERVICES, INC. FOR THE BURNT POPLAR ROAD/SOLID WASTE TRANSFER STATION

WHEREAS, in connection with the Burnt Poplar Road/Solid Waste Transfer Station project, the property owned by Transmontaigne Product Services, Inc., Tax Map No. 94-7029-960-6, is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$15,398.00, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$15,398.00 is hereby approved, and

the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 554-6509-04.6011 Activity No. 04103.

(Signed) Thomas M. Phillips

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265-05 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2005-016 WITH HEITKAMP, INC.
FOR THE REHABILITATION OF CAROLINA STREET

WHEREAS, Contract No. 2005-016 with Heitkamp, Inc. provides for rehabilitating existing cast iron pipe (CIP) in our water system;

WHEREAS, due to the Carolina Street waterline having inadequate capacity, Water Resources wishes to rehab the waterline prior to the Carolina Street resurfacing scheduled for 2006, thereby necessitating a change order in the contract in the amount of \$66,043.53.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Heitkamp, Inc. for the rehabilitation of existing cast iron pipe in our water system is hereby authorized at a total cost of \$66,043.53, payment of said additional amount to be made from Account No. 503-7015-01.6016, Activity No. 06077.

(Signed) Thomas M. Phillips

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05-245 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE
APPROPRIATION OF THE WAL-MART POLICE NEIGHBORHOOD RESOURCE CENTER YOUTH
ACTIVITIES GRANT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3511-01.5949	Miscellaneous	<u>\$1,000</u>
TOTAL:		\$1,000

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3511-01.8620	Donations and Private Contributions	<u>\$1,000</u>
TOTAL:		\$1,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-246 ORDINANCE AMENDING THE STATE, FEDERAL AND OTHER GRANTS FUND BUDGET TO INCREASE FUNDING FOR YEAR THREE OF THE PIEDMONT TRIAD WATER QUALITY PARTNERSHIP

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-7057-01.5221	Advertising	<u>\$6,640</u>
TOTAL		\$6,640

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-7057-01.7170	Local Government Grant	<u>\$ 6,640</u>
TOTAL		\$ 6,640

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-247 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR PARKS AND RECREATION YOUTH FIRST HOPE PROJECT GRANT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5003-01.5237	Program Supplies	\$2,100
220-5003-01.5413	Consultant Services	3,000
220-5003-01.5510	Business and Meeting Expense	3,900
220-5003-01.5239	Miscellaneous Supplies	<u>1,000</u>
Total		\$10,000

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
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220-5003-01.8620	Donations & Private Contributions	<u>\$10,000</u>
Total		\$10,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-254 ORDINANCE AMENDING THE FY 2005-2006 GUILFORD METRO 911 FUND BUDGET TO APPROPRIATE FUNDS FROM GUILFORD COUNTY FOR NEW EMERGENCY COMMUNICATOR POSITIONS FOR GUILFORD METRO 911

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 2005-2006 Guilford Metro 911 Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Guilford Metro 911 Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
281-3902-01.4110	Salaries and Wages	\$111,957
281-3902-01.4510	FICA Contribution	\$ 8,566
281-3902-01.4520	Retirement Contribution	\$ 7,735
281-3902-01.4610	Health Coverage-Active	\$ 17,832
281-3902-01.4650	Dental Coverage-Active	\$ 1,028
281-3902-01.4710	Life Insurance-Active	<u>\$ 882</u>
TOTAL:		\$148,000

and, that this increase be financed by increasing the following FY 2005-2006 Guilford Metro 911 Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
281-3902-01.7853	Cost Recovery-Guilford County	<u>\$148,000</u>
TOTAL:		\$148,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-249 ORDINANCE AMENDING THE FY 2005-2006 FEDERAL, STATE AND OTHER GRANTS PROJECT FUND BUDGET FOR THE WORKFORCE INVESTMENT ACT PROGRAMS

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Federal, State and Other Grants Project Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Workforce Investment Act (WIA) PY 2004 Capacity Building Fund be increased as

follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0255-52.5222	Dues	<u>\$2,000</u>
Total		\$2,000

and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2004 Capacity Building Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0255-52.7100	Federal Grant	<u>\$2,000</u>
Total		\$2,000

Section 2

That the appropriation to the Workforce Investment Act (WIA) PY 2005 Joblink Enhancement Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-54.4110	Salaries	<u>\$38,607</u>
Total		\$38,607

and, that this increase be financed by increasing the Workforce Investment Act (WIA)) PY 2005 Joblink Enhancement Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-54.7100	Federal Grant	<u>\$38,607</u>
Total		\$38,607

Section 3

That the appropriation to the Workforce Investment Act (WIA) PY 2005 Performance Incentive fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-55.5429	Other Contracted Services	<u>\$51,282</u>
Total		\$51,282

and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2005 Performance Incentive fund account as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-55.7100	Federal Grant	<u>\$51,282</u>
Total		\$51,282

Section 4

That the appropriation to the Workforce Investment Act (WIA) PY 2005 Incumbent Worker Program AKZO Nobel Coatings, Inc. Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-53.5429	Other Contracted Services	<u>\$17,157</u>
Total		\$17,157

and, that this decrease be financed by decreasing the Workforce Investment Act (WIA) PY 2005 Incumbent Worker Program AKZO Nobel Coatings, Inc. Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-53.7100	Federal Grant	<u>\$17,157</u>
Total		\$17,157

Section 5

That the appropriation to the Workforce Investment Act (WIA) PY 2005 Incumbent Worker Program High Point Furniture Industries Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-55.5429	Other Contracted Services	<u>\$38,991</u>
Total		\$38,991

and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2005 Incumbent Worker Program High Point Furniture Industries Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-55.7100	Federal Grant	<u>\$38,991</u>
Total		\$38,991

Section 6

That the appropriation to the Workforce Investment Act (WIA) PY 2005 Incumbent Worker Program Concept Development Studios/DBA Envision Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-56.5429	Other Contracted Services	<u>\$14,280</u>
Total		\$14,280

and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2005 Incumbent Worker Program Concept Development Studios/DBA Envision Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0256-56.7100	Federal Grant	<u>\$14,280</u>
Total		\$14,280

Section 7

That the appropriation to the Workforce Investment Act (WIA) PY 2005 Hurricane Katrina National Emergency Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0266-68.5429	Other Contracted Services	<u>\$300,000</u>

Total		\$300,000
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and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2005 Hurricane Katrina National Emergency Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0266-68.7100	Federal Grant	<u>\$300,000</u>

Total		\$300,000
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Section 8

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-241 Ordinance Amending the Battleground Rail Trail Bond Project Fund Budget

Section 1:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation for the Battleground Rail Trail Bond Project Fund Budget be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
441-6004-02.6015	Sidewalk Construction	<u>\$400,000</u>

TOTAL		\$400,000
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And, that this increase be financed by increasing the following Battleground Rail Trail Bond Project Fund Budget accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
441-6004-02.7110	State Grant	<u>\$400,000</u>

TOTAL:		\$400,000
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Section 2:

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-251 ORDINANCE AMENDING THE BUDGET FOR THE FY 2005-2006 GREENSBORO URBAN AREA METROPOLITAN PLANNING ORGANIZATION (MPO) IN THE STATE AND FEDERAL GRANTS FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1

That the FY 05-06 budget for the Greensboro Urban Area Metropolitan Planning Organization (MPO) in the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Greensboro Urban Area Metropolitan Planning Organization Budget be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
220-4566-01.5413	Consultant Services	37,217
220-4566-01.5928	In-Kind Services	<u>9,304</u>
		46,521

Total

And that this budget be financed by increasing the following State and Federal Grants Fund Accounts:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
	State Grant	37,217
220-4566-01.8695	Local In-Kind Services	<u>9,304</u>
Total		46,521

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-252 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FEDERAL GRANT FUNDS FOR THE GREATER GREENSBORO FINANCIAL CRIMES TASK FORCE

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3512-01.4210	Overtime	\$ 2,000
220-3512-01.5520	Seminar/Training Expenses	<u>\$ 2,000</u>

TOTAL: \$4,000

And, that this increase be financed by increasing the following State, Federal, and Other Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3512-01.7100	Federal Grant	<u>\$4,000</u>

TOTAL: \$4,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-253 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR PARKS AND RECREATION N.C. SENIOR CENTER PROJECT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5002-01.5235	Small Tools and Equipment	\$ 2,561
220-5002-01.5413	Consultant Services	2,500
220-5002-01.5612	Maintenance and Improvement-Grnds	<u>2,211</u>
Total		\$ 7,272

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5002-01.9101	Transfer from General Fund	\$ 1,818
220-5002-01.7170	Local Government Grant	<u>5,454</u>
Total		\$ 7,272

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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05-255 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF THE WAL-MART SAFE NEIGHBORHOOD HEROES GRANT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3510-01.5235	Small Tools and Equipment	<u>\$1,500</u>
TOTAL:		\$1,500

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3510-01.8620	Donations and Private Contributions	<u>\$1,500</u>
TOTAL:		\$1,500

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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266-05 RESOLUTION APPROVING CONVEYANCE OF PROPERTY IN THE OLE ASHEBORO NEIGHBORHOOD FROM THE REDEVELOPMENT COMMISSION OF GREENSBORO TO GREENSBORO HOUSING DEVELOPMENT PARTNERSHIP

WHEREAS, in April, 2004 City Council adopted the amended Ole Asheboro Redevelopment Plan which calls for the development of approximately 20 acres of vacant land within the Ole Asheboro area;

WHEREAS, at its September, 2005 meeting, the Redevelopment Commission of Greensboro approved the sale of 53 parcels in the Ole Asheboro neighborhood to Greensboro Housing Development Partnership, Inc., said parcels shown on Attachments A&B presented herewith this day;

WHEREAS, Greensboro Housing Development Partnership, Inc. proposes to develop said parcels in accordance with the Ole Asheboro plan for mixed use development which will include residential, retail and institutional use.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the transfer of property in the Ole Asheboro neighborhood from the Redevelopment Commission of Greensboro to Greensboro Housing Development Partnership for development in accordance with the Ole Asheboro plan for mixed use development to include residential, retail and institutional use is hereby approved.

(Signed) Thomas M. Phillips

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267-05 RESOLUTION APPROVING LOAN FOR PARTNERSHIP VILLAGE, PHASE 3, MULTI-FAMILY APARTMENTS

WHEREAS, City Council approved, as part of the 2004-2005 City Budget and HCD Annual Plan, a loan to Partnership Homes, Inc. for Partnership Village Phase III;

WHEREAS, said project consists of 12 affordable transitional family units located at 143 Greenbriar Road;

WHEREAS, the project was awarded a supportive housing development loan from the North Carolina Housing Finance Agency and commitments for required additional financing have been obtained.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager is authorized to enter into a Loan Agreement and subsequently loan \$162,264 of federal HOME program dollars to Partnership Homes, Inc. for Partnership Village, Phase III.

(Signed) Thomas M. Phillips

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268-05 RESOLUTION APPROVING THE ASSIGNATION OF INTEREST OF THE LIMITED PARTNER IN THE EVERITT/SPENCER LIMITED PARTNERSHIP TO AFFORDABLE HOUSING MANAGEMENT, INC. IN CONNECTION WITH THE EVERITT-SPENCER APARTMENTS ACQUISITION AND REHABILITATION LOAN

WHEREAS, in 1991, the City funded an acquisition and rehabilitation loan for the Everitt/Spencer Apartments, owned by Everitt/Spencer Limited Partnership;

WHEREAS, it has been the intent of the limited partner organization to transfer its ownership to its local non-profit housing partner when the tax credit benefits ceased;

WHEREAS, the tax benefits accruing to the Managing General Partner have ceased and they have requested City approval of the assignation of interest of the Limited Partner (Housing Outreach Fund LP) to Affordable Housing Management, Inc., a local non-profit housing provider and sole shareholder of Everitt/Spencer Management, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the assignation of interest of the limited partner in the Everitt/Spencer Limited Partnership to Affordable Housing Management, Inc. in connection with the Everitt-Spencer Apartments acquisition and rehabilitation loan is hereby approved and the Manager is hereby authorized to execute the necessary documentation.

(Signed) Thomas M. Phillips

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269-05 RESOLUTION APPROVING THE TEMPORARY PLACEMENT OF THE CITY LOAN FOR THE WINDHILL COURT MULTI-FAMILY APARTMENTS IN A THIRD LIEN POSITION

WHEREAS, the Windhill Court multi-family apartments loan in the amount of \$506,131 in federal HOME program funding was approved as part of the 2005-06 City budget and HCD Annual Plan;

WHEREAS, said project consists of 64 affordable family units located at 100 Windhill Court;

WHEREAS, the project was awarded a tax credit allocation from the North Carolina Housing Finance Agency and commitments for required additional financing have been obtained;

WHEREAS, until the construction debt is retired through equity payments from the tax credit investors and receipt of the State tax credits, said City loan will be temporarily in a third lien position;

WHEREAS, upon completion of the project construction and full equity and loan contributions, said City loan will be in a second lien position.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the temporary placement of the City loan in the amount of \$506,131 for the Windhill Court multi-family apartments in a third lien position is hereby approved and the Manager is hereby authorized to execute the necessary documentation.

(Signed) Thomas M. Phillips

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270-05 RESOLUTION ADOPTING THE REVISED STANDARDS FOR WRECKER SERVICE

WHEREAS, on May 20, 1991 the City Council of the City of Greensboro adopted Standards for Wrecker Services binding on those Wrecker companies on contract with the City of Greensboro regarding vehicles impounded or seized as evidence or other similar situations;

WHEREAS, the Standards have been revised, most recently on September 16, 2003, in Order to maintain equity between the various companies and to enhance service to the public;

WHEREAS, the wrecker companies on contract with the City of Greensboro seek to amend certain requirements regarding required equipment to address the vast change in the style and specifications of vehicle with the most appropriate equipment which differs somewhat with those in the present Standards and that the Greensboro Police Department endorses these amendments, said amendments presented herewith this day;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the revised Amendments to the Standards for Wrecker Service presented this day and incorporated herein by this reference are hereby adopted.

(Signed) Thomas M. Phillips

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271-05 RESOLUTION AUTHORIZING ACCEPTANCE OF DEED GIFT TO THE CITY OF GREENSBORO PARKS AND RECREATION DEPARTMENT BY LAND DEVELOPMENT COMPANY OF LEXINGTON, LLC

WHEREAS, Land Development Company of Lexington, LLC has offered to convey 26.84 acres located off of Thatcher Road between Industrial Drive and West Market Street to the City of Greensboro as a gift, said property being shown on the attached map;

WHEREAS, this property will become part of the City's park land and open space inventory;

WHEREAS, it is deemed in the best interest of the City to accept this deed gift from Land Development Company of Lexington, LLC;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That, on behalf of the City of Greensboro, the City Council hereby approves and accepts the deed gift of 26.84 acres located off of Thatcher Road between Industrial Drive and West Market Street.

2. That the Mayor and City Clerk are hereby authorized to execute the above mentioned deed with Land Development Company of Lexington, LLC.

(Signed) Thomas M. Phillips

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272-05 RESOLUTION AUTHORIZING ACCEPTANCE OF DEED GIFT TO THE CITY OF GREENSBORO PARKS AND RECREATION DEPARTMENT BY WEAVER INVESTMENT COMPANY

WHEREAS, Weaver Investment Company has offered to convey 10.25 acres located in northwest Greensboro between Bromley Woods Lane and Drawbridge Parkway to the City of Greensboro as a gift, said property being shown on the attached map;

WHEREAS, this property will become part of the City's park land and open space inventory;

WHEREAS, it is deemed in the best interest of the City to accept this deed gift from Weaver Investment Company;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That, on behalf of the City of Greensboro, the City Council hereby approves and accepts the deed gift of 10.25 acres located in northwest Greensboro between Bromley Woods Lane and Drawbridge Parkway.

2. That the Mayor and City Clerk are hereby authorized to execute the above mentioned deed with Weaver Investment Company.

(Signed) Thomas M. Phillips

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273-05 RESOLUTION CALLING A PUBLIC HEARING FOR JANUARY 10, 2006 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – 4636-4640 LONG VALLEY ROAD – 31.65 ACRES

WHEREAS, the owners of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 20th day of December 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (4636-4640 LONG VALLEY ROAD – 31.65 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro corporate limits (as of November 30, 2005), said point being the southwest corner of Lot 70 in Phase Three of Highland Grove, as recorded in Plat Book 125, Page 75 in the Office of the Register of Deeds of Guilford County; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 88° 54' 42" W 371.25 feet along the south line of said Phase Three to an existing iron pipe at the southeast corner of Lot 68 in said Phase; thence S 76° 32' 22" E 161.71 feet along the south line of Common Area of said Phase to a stone; thence S 74° 25' 08" E 527.84 feet along the south lines of said Common Area and of Phase Five, Map 1 of said subdivision, as recorded in Plat Book 129, Page 130, to an existing iron pipe on the west right-of-way line of Broadleaf Road; thence S 74° 25' 08" E 50.00 feet along the south line of said Map 1 to a point on the east right-of-way line of said road; thence S 74° 25' 08" E 179.70 feet along the south lines of said Map 1 and of Map 2 of said Phase, as recorded in Plat Book 129, Page 131, to a point on the south line of Common Area on said Map 2; thence S 72° 26' 30" E 626.39 feet along said south line and the south line of City of Greensboro and Guilford County, as recorded in Deed Book 4304, Page 1042, to the southeast corner of said property; also being the northeast corner of Combs, Inc., as recorded in Deed Book 6189, Page 547; thence S 24° 06' 42" W 199.18 feet along the east line of Combs to the northeast corner of Gary W. and Bobbie Jean Long, as recorded in Deed Book 3269, Page 577; thence proceeding with Long's east, south, and west lines the following bearings and distances: S 23° 58' 32" W 427.08 feet to a point, S 67° 00' 30" W 767.08 feet to a point, S 77° 24' 34" W 351.45 feet to a point, N 45° 33' 30" W 219.43 feet to a point, and N 17° 24' 08" W 253.30 feet to a point; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along a new line across Long's property S 81° 49' 07" E 143.21 feet to a point; thence along another new line N 04° 56' 21" E 696.66 feet to a point in the south line of Combs; thence with the south line of Combs N 76° 25' 40" W 472.24 feet to a point in the east right-of-

way line of Long Valley Road; thence N 11° 17' 51" W 2.64 feet with said right-of-way line to a point; thence continuing with said right-of-way line along a curve to the left with a length of 198.92 feet, a radius of 860.95 feet, and a chord bearing and distance of N 17° 54' 59" W 198.47 feet to the point and place of BEGINNING, and containing 31.65 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after March 31, 2006, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 3/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after March 31, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, January 10, 2006 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than December 31, 2005.

(Signed) Thomas M. Phillips

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274-05 RESOLUTION CALLING A PUBLIC HEARING FOR JANUARY 10, 2006 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – 1089 KNOX ROAD – 41.0 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 20th day of December 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (1089 KNOX ROAD – 41.0 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of November 30, 2005), said point being the northwest corner of Lot 1 of Robert L. Page and Carolina Income Properties 1 Limited Partnership, as recorded at Plat Book 100, Page 7 in the Office of the Register of Deeds of Guilford County; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS along the southern right-of-way line of Knox Road (S.R. # 3142) in an easterly and then a southeasterly direction approximately 2,987 feet to the easternmost corner of Lot 3 of said subdivision; thence in a westerly direction with the north line of Interstate 40/85 and the northeast line of the ramp onto I-840 northbound approximately 3,200 feet to a point in the west line of said Lot 1; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 49° 04' 40" E 263.81 feet with the west line of said Lot 1 to a point; thence N 57° 44' 14" E 190.83 feet with said west line to a point; thence N 0° 50' 11" E 114.50 feet with said west line to the point and place of BEGINNING, and containing approximately 41.0 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after March 31, 2006, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 3/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after March 31, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, January 10, 2006 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than December 31, 2005.

(Signed) Thomas M. Phillips

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275-05 RESOLUTION CALLING A PUBLIC HEARING FOR JANUARY 10, 2006 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – 1149 PLEASANT RIDGE ROAD – 0.325 ACRES

WHEREAS, the owners of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 20th day of December 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (1149 PLEASANT RIDGE ROAD – 0.325 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of November 30, 2005, said point being 200 feet northwest of and normal to the northwest right-of-way line of Pleasant Ridge Road and being in the south line of property of Emad N., Hani N., and Niveen N. Kattan., recorded at Deed Book 6196, Page 655 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 85° 35' 50" W approximately 80 feet along Kattan's south line to Kattan's southwest corner, a point in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 9° 26' 43" E 143.39 feet along Kattan's west line to Kattan's northwest corner; thence S 85° 25' 50" E approximately 120 feet along Kattan's north line to a point; thence continuing with the existing city limits in a southwesterly direction approximately 154 feet to the point and place of BEGINNING, and containing approximately 0.325 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after March 31, 2006, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 3/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for

prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after March 31, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, January 10, 2006 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than December 31, 2005.

(Signed) Thomas M. Phillips

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276-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF NANCY CAVANAUGH AND JULIA D. BLIZIN IN THE BRIGHTWOOD NEIGHBORHOOD FOR PASSIVE PARK

WHEREAS, in connection with a passive park in the Brightwood Neighborhood, approximately 6.8 acres owned by Nancy Cavanaugh and Julia D. Blizin located at 4504 Summit Avenue, Tax Map No. 433-4-6 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$11,000 per acre which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$11,000.00 per acre is hereby approved, and the purchase of approximately 6.8 acres in accordance with the appraisal is hereby authorized, payment to be made from the Parkland Acquisition Fund.

(Signed) Thomas M. Phillips

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A motion to make a part of the minutes a report of budget adjustments covering November 1-30, 2005 was unanimously adopted. (A copy of the report is filed in Exhibit Drawer P, Exhibit Number 1 and is hereby referred to and made a part of the minutes).

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A motion to approve minutes of regular meeting of November 15, 2005 and regular and organizational meetings of December 6, 2005 was unanimously adopted.

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The Mayor introduced a resolution listing loans and grants for City Council approval, removed from the Consent Agenda earlier in the meeting.

After Councilmember Gatten briefly outlined details of the grants listed, Councilmember Bellamy-Small requested an update on the status of repairs related to Project Homestead homes. Assistant City Manager John "Ben" Brown stated

the repairs were near completion and discussed the time line for providing a final report to Council.

Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Phillips, the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

277-05 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at its March 1st City Council meeting, the City Manager was instructed to included on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 Council meeting.

(Signed) Florence Gatten

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Mayor Holliday introduced a resolution authorizing the purchase in the amount of \$200,000 of properties of Roger Lee Holder for flood mitigation on Boston Road.

City Manager Johnson briefly explained that the land purchase was more cost effective than mitigating flood issues.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips, and Wells. Noes: None.

278-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF ROGER LEE HOLDER FOR FLOOD MITIGATION ON BOSTON ROAD

WHEREAS, staff had identified two properties located at 1216 and 1218 Boston Road for flood mitigation, the properties owned by Roger Lee Holder, Tax Map Nos. 456-1-6 & 7, said properties being shown on the attached map;

WHEREAS, the properties are adversely affected by flooding and storm water runoff due to development in the surrounding area;

WHEREAS, the properties have been appraised at a value of \$220,000.00 and the owner has agreed to settle for the price of \$200,000.00, which settlement, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said properties to the City at the agreed price and it is deemed in the best interest of the City to acquire said properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the agreed price for the purchase of the above mentioned portion of properties for flood mitigation in the amount of \$200,000.00 is hereby approved, and the purchase of the properties in accordance with the agreed price is hereby

authorized, payment to be made from Account No. 506-7005-05.6018 Activity A06112.

(Signed) Sandy Carmany

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The Mayor introduced a resolution recognizing and expressing appreciation to the Guilford County Legislative Delegation for its role in the 2005 Legislative Session.

After the Mayor expressed appreciation for the Delegation's work on behalf of Council, The City Attorney briefly explained the changes made in this session and its impact on City government.

Councilmember Bellamy-Small moved adoption of the resolution. The motion was seconded by Councilmember Carmany, the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells.

279-05 RESOLUTION RECOGNIZING AND EXPRESSING APPRECIATION TO THE GUILFORD COUNTY LEGISLATIVE DELEGATION FOR ITS ROLE IN THE 2005 LEGISLATIVE SESSION

WHEREAS, the Guilford County Legislative Delegation has recently completed the 2005 Legislative Session;

WHEREAS, the Delegation has been successful over the past several years in communicating the goals of the City and the state wide goals of the North Carolina League of Municipalities;

WHEREAS, through the Delegation's commitment and dedication, the passage of local and state wide bills which benefit City were accomplished in this Session as well as past Sessions;

WHEREAS, the Delegation is to be commended for its assistance in helping the City achieve the City Council's goals in the interest of its citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Council hereby commends the Guilford County Legislative Delegation for its continued dedication and commitment in accomplishing the City goals during the 2005 Legislative Session as well as in past Sessions.

That the City Council hereby further expresses its gratitude to the Guilford County Legislative Delegation for its continuing objectives in the passage of local and state wide bills that serve the betterment of the citizens of the City of Greensboro.

(Signed) T. Dianne Bellamy-Small

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The Mayor introduced a resolution authorizing the sale in the amount of \$704,000 of 6 Spring Oak Drive—"Former Western Recreation Center Site"--to JAD & W, LLC.

The Manager stated that because this property was an investment and had not met the interests of the neighborhood, the property would be sold. He briefly explained the history of the upset bid process involved in the sale.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Johnson, the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

280-05 RESOLUTION AUTHORIZING AND APPROVING SALE OF LAND 6 SPRING OAK DRIVE – "FORMER WESTERN RECREATION CENTER SITE" TO JAD & W, LLC

WHEREAS, the City of Greensboro owns residual property located at 6 Spring Oak Drive at Tax Map Number 1-32-898-39, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, JAD & W, LLC has offered to purchase said property for the amount of \$704,000.00, which amount, in the opinion of the City Council is fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That pursuant to Section 4.122 of the City Charter, the sale of the above mentioned residual property in the amount of \$704,000.00 is hereby approved and the sale of land to JAD & W, LLC is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Sandy Carmany

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Mayor Holliday introduced a resolution approving purchase of property of ARCO Realty on Cedar Street.

Dan Curry, Community Development Planning Manager with the Housing and Community Development Department, reviewed the status of a redevelopment proposal for property located at the corner of Friendly Avenue and Cedar Street that Council had directed staff to prepare at the December 6, 2005 Council meeting. Mr. Curry noted that private developers had expressed interest in purchasing the property from the City through a redevelopment project. He identified the property owner, presented photographs of the site, and described the property characteristics in terms of the number and type of units at the site before and after a recent fire. Mr. Curry spoke to the appraised value of the property, the owner's selling price, which exceeded the appraisal by \$56,000; advised that additional costs of \$200,000 would be needed to cover cost for relocation of residents and demolition of structures; stated the total proposed budget would equal \$1.85 million, 650,000 of which the City would end up funding; and identified potential fund sources to cover the City's unrecoverable costs in the proposed property purchase and redevelopment project. Mr. Curry noted that the site would comprise a 1.55 acre lot including adjacent property currently owned by the City and that environmental standards would be met for the property to qualify for purchase.

Liz Fitzpatrick, residing at 426 North Cedar Street, stated she represented a group of neighbors from the Bellemeade area. She expressed concerns with regard to the deteriorated condition of the subject property, but advised Council that tenants did not wish to relocate. She offered personal opinions with respect to the trend in displacing low income residences with retail and higher priced condominiums and stated the group supported the purchase of this property if residents were not displaced.

Eleanor Motley, residing at 424 North Cedar Street, spoke to her family history of home ownership in the neighborhood. She expressed concern that because of her limited income, escalating property values could increase taxes and displace her.

Joya Wesley, residing at 410 North Cedar Street, spoke to her participation in a process to form a neighborhood association from the Cedar Street Bellemeade area. She noted the diversity of the group and stated they did not want redevelopment of neighborhoods to push out existing residents. She recommended developing a strategic plan for the area and cited a community building model she stated was located in Davidson. Ms. Wesley requested Council to employ this model and offered to provide contact information.

Beth McGee Huger, residing at 408 Woodlawn Avenue, stated the potential developers who would buy the Cedar Street property for development had not made themselves known to the public. During lengthy remarks, she shared her opinions with respect to the property owner's conduct related to code enforcement processes on properties owned city-wide and expressed concern with respect to the potential inconsistency of the treatment of this property in the context of city-wide properties in disrepair. Ms. McGee Huger requested Council to deny the proposed property acquisition and advised that the Greensboro Housing Coalition Board of Directors had voted to take a stance against the proposal.

Councilmember Phillips noted a map which designated properties owned city-wide by the subject property owner.

Noting the widespread existence of substandard housing, he expressed concern that the proposed redevelopment would set an inequitable precedent.

Wilena Cannon, residing at 821 Holt Avenue, spoke to personal knowledge of history involving properties owned by the subject property owner. She requested Council not to take action that would displace working class people who live in the downtown area.

Barbara Walker, residing at 2507 Cottage Place, shared her opinion that Cedar Street homes were worthy of preservation due to their age and architectural style and expressed concern with respect to the well being of residents who might be displaced if the proposal were approved.

Ms. Forrest, who spoke earlier in the meeting, suggested letting developers buy directly from the property owner. She requested that the funds identified for this project be used to assist homeless residents.

Councilmember Johnson stated that she could not support the principle of rewarding the property owner with tax dollars for managing properties throughout the City in blighted condition.

Councilmember Gatten stated that a high volume of citizens had expressed great opposition to this proposal; she moved to deny the resolution.

Councilmember Anderson shared her opinion that the City should not intervene between interested developers and the property owner and discussed the City's imminent domain rights.

Councilmember Wells spoke to housing concerns in District 2 with respect to displacement of low income citizens, the role of the Cedar Street location as a gateway to the City, and her feelings towards substandard housing. She suggested potential solutions for addressing substandard property conditions common to the property owner's real estate holdings city-wide, noted the value of other redevelopment projects in the City, stated she was in favor of the proposed redevelopment plan and that she needed information on optimum levels of affordable housing in areas of Greensboro.

After Council discussed the funding sources of other redevelopment projects, Councilmembers Phillips and Carmany stated they could not support the project due to the estimated \$600,000 gap between the City's expenses and projected recovery of funds through rehabilitation and sale of the property to a developer.

Councilmember Barber requested staff to develop legislation similar to Washington State that requires rental unit owners to pay for tenant relocation and three months of rent when units they occupy are condemned for code violations. The City Attorney advised that approval would need to be requested from the State Legislature to proceed. No action was taken.

Councilmember Bellamy-Small expressed her opinion with respect to the need for housing within proximity to downtown for low or modest income workers who support downtown businesses.

Mayor Holliday spoke to free market economic principles of supply and demand and the impact of related rising property values in the downtown area on residents. He noted that the private aspect of the redevelopment of the Cedar Street property would be based on market demand and not on affordable housing.

Council thereupon voted on the motion to DENY the resolution, made earlier in the meeting. The resolution was DEFEATED on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, and Phillips. Noes: Wells.

(A copy of the resolution as introduced and defeated is filed in exhibit drawer P, Exhibit Number 16 and is hereby referred to and made a part of the minutes).

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Mayor Holliday introduced a resolution authorizing sanitary sewer connection to Forest Oaks Shopping Center. Assistant City Manager Robert "Bob" Morgan spoke briefly to Council's recent policy amendment.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Gatten; the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

05-250 RESOLUTION AUTHORIZING SANITARY SEWER CONNECTION TO FOREST OAKS SHOPPING CENTER

WHEREAS, Resolution 203-05 authorized exceptions to the restriction regarding extensions of water and sewer where the Public Health Director has declared a health hazard and the City Council approves on a case by cases basis connection to properties located outside the described territory;

WHEREAS, the property located at 5312-5320 Liberty Road has been declared a health hazard by the Guilford County Health Department in a letter dated December 12, 2005;

WHEREAS, the City has executed a Utility Agreement and Annexation Petition for this property;

WHEREAS, Forest Oaks Shopping Center has requested City Council approval for the connection of sanitary sewer to the private system for its property located at 5312-5320 Liberty Road;

WHEREAS, the costs for such a connection shall be the responsibility of the property owner and requires the owner to design, construct, maintain and operate the required facilities at no cost to the City with any improvements to be approved by the City Water Resources Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the sanitary sewer connection to the Forest Oaks Shopping Center located at 2312-2320 Liberty Road subject to the above conditions is hereby authorized.

(Signed) Yvonne Johnson

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The Mayor introduced a resolution approving Priority Dispatch sole source contract on behalf of the ongoing consolidation of 9-1-1 Services with Guilford County.

Wesley Reid, Guilford Metro 9-1-1 Department Director, explained that the consolidation of City and County services was in the third phase.

In response to Councilmember Bellamy-Small, Mr. Reid explained customer service processes and practices of the 9-1-1 Call Center. During additional discussion some members of Council mentioned specific concerns of which they were aware. Mr. Reid stated he would follow up and requested Council to contact him directly with any concerns they were aware of so they could be addressed during this final phase of consolidation.

Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Vaughan. Noes: None.

282-05 RESOLUTION APPROVING PRIORITY DISPATCH SOLE SOURCE CONTRACT ON BEHALF OF THE ONGOING CONSOLIDATEION OF 9-1-1 SERVICES WITH GUILFORD COUNTY

WHEREAS, the City and County have entered into an Interlocal Agreement consolidating the Emergency Communications functions of the two organizations;

WHEREAS, the Agreement specifies that all personnel assigned to Guilford Metro 9-1-1 shall be certified or credentialed to receive and process calls for assistance;

WHEREAS, personnel will be credentialed by the National Academy of Emergency Dispatch in both fire and medical call intake protocols;

WHEREAS, this training is a key component of the consolidation effort and ultimately eliminates medical call transfers between agencies while providing consistent call entry screening for the citizens;

WHEREAS, the cost of the training is \$157,425.00 and will be funded through funds previously allocated within the Fire Department and Guilford 9-1-1;

WHEREAS, a sole source purchase from Priority Dispatch Corporation is being requested to ensure the required training for Guilford Metro 9-1-1 in accordance with said Interlocal Agreement

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the sole source purchase of \$157,425.00 Guilford Metro 9-1-1 Emergency Communication Specialists training required for the continued 9-1-1 consolidation advancement is hereby approved.

(Signed) Florence Gatten

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The City Manager requested Council to consider two additional agenda items that were faxed to Council several days earlier.

The Mayor introduced a resolution approving bid and authorizing execution of contract no. 2005-067 with Crest Construction for the Guilford Metro 911 Emergency Call Center renovations.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

283-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2005-067 WITH CREST CONSTRUCTION FOR THE GUILFORD METRO 911 EMERGENCY CALL CENTER RENOVATIONS

WHEREAS, after due notice, bids have been received for the Guilford Metro 911 Emergency Call Center renovations project;

WHEREAS, Crest Construction, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$245,000.00 as general contractor for Contract No. 2005-067, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Crest Construction is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$245,000 from Account No.410-3907-01.6013 Activity 06113.

(Signed) Yvonne Johnson

(A tabulation of bids for Contract No. 2005-067 is filed with the above resolution and is hereby referred to and made a part of the minutes).

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The Mayor introduced a resolution authorizing installation of Quail Oaks Subdivision sewer extension west of US 29 North and Corbin Road under agreement between City of Greensboro and Guilford County. Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Wells; the resolution was adopted on the following roll call vote: Ayes: Anderson, Barber, Bellamy-Small, Carmany, Gatten, Holliday, Johnson, Phillips and Wells. Noes: None.

284-05 RESOLUTION AUTHORIZING INSTALLATION OF QUAIL OAKS SUBDIVISION SEWER EXTENSION WEST OF US 29 NORTH AND CORBIN ROAD UNDER AGREEMENT BETWEEN CITY OF GREENSBORO AND GUILFORD COUNTY

WHEREAS, Guilford County has recently authorized the extension of an 8" sanitary sewer outfall, a public lift station and the associated force main west of US 29 North and Corbin Road to serve Quail Oaks Subdivision in accordance with the Consolidated Water and Sewer Agreement between the County and the City;

WHEREAS, the project will be privately financed by the owner;

WHEREAS, in the opinion of the City Council, the best interest of the City will be served by the construction of the extension of an 8" sanitary sewer outfall, a public lift station and the associated force main in accordance with said agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the construction of the above mentioned 8" sanitary sewer outfall, public lift station and the associated force main in accordance with the agreement between the City of Greensboro and Guilford County is hereby authorized; provided that there shall be no assessments levied.

(Signed) Florence Gatten

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Councilmember Carmany moved that Joel Landau be appointed to serve the unexpired portion of term on the Planning Board of Alan Pike, resigned; this term will expire 15 August 2006. The motion was seconded by Councilmember Bellamy-Small and unanimously adopted by voice vote of Council.

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Councilmember Phillips requested that options for legal recourse provided in the Greensboro Code of Ordinances be explored to increase protection of landlords whose property gets damaged by tenants. No action was taken.

Councilmember Phillips provided a brief update on the Randleman Dam Reservoir project. He stated Council would be requested to fund the City's share of additional costs incurred due to construction changes required by the State of North Carolina, outlined anticipated amounts and payment terms with respect to the City's share of this expense, reported that the Water Authority was in the process of developing a plan that would provide boating access to the lake for government work and limited public use, and stated he would provide additional updates in the future.

Councilmember Phillips moved that Wilena Cannon be reappointed to serve an additional term on the Rental Unit Certificate Advisory Board (RUCO) as the Housing Coalition representative; this term will expire 1 January 2009 and Jim Roach and Ron Tuck be reappointed to each serve an additional term on the Rental Unit Certificate Advisory Board in the positions for general citizen; these terms will expire 1 January 2009. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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Councilmember Gatten moved that Thomas Phillips be appointed to serve an additional term on the Rental Unit

Certificate Advisory Board as the Council representative; this term will expire 1 January 2009. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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In response to Councilmember Bellamy-Small, Mr. Simmons provided an update on the status of building code violations at the Saint James Apartments. Brief discussion was held with respect to the time line for Rental Unit Occupancy Certificate enforcement.

Councilmember Bellamy-Small requested that the City find funding for a revitalization and development plan for the Glenwood community. No action was taken.

Citing recent media reports on public access to wireless internet service, Councilmember Bellamy-Small requested that staff explore options at City libraries and recreation centers. The City Manager stated that information with respect to costs and options would be provided to Council and advised that if City sponsored wireless sites were established, a policy would need to be developed with respect to whether to incorporate site access limitations or restrictions.

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Councilmember Gatten added the name of Janice Kopec to the boards and commissions data bank for consideration for future service on the Guilford County Historic Properties Commission.

Councilmember Gatten provided an update on university connector service. She presented information to Council with respect to the time line for implementation and discussed the fund sources including a North Carolina Department of Transportation air quality grant, ridership revenue, and the City.

Councilmember Gatten emphasized her interest in specific changes to enhance the Connectivity Policy and increasing public awareness about the policy.

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Councilmember Barber added the name of Keith Wilson to the boards and commissions data bank for consideration for future service. He thanked staff for their recent orientation of new Council members.

Councilmember Wells added the name of Norita Speaks to the boards and commissions databank for consideration for future service on the Library Board.

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Councilmember Johnson added the name of Janet Wallace to the boards and commissions data bank for consideration for future service on the Historic Preservation Commission.

Councilmember Johnson stated she would provide a written report to Council on the Willow Oaks development project.

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Council spoke to various recent and future community events of interest.

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At the request of the Mayor Holliday, Mr. Simmons provided an update on the status of construction on Greene Street near City Hall. The Mayor requested that this project be expedited as much as possible.

Mayor Holliday added the names of Mary Ann Bruno, and Prudence White to the boards and commissions data bank for consideration for future service on the Planning Board.

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The City Manager reported that in response to Council's recent request regarding posting of agenda packet attachments on the City website, staff had obtained the necessary equipment and posted the complete final agenda document for this meeting. He spoke briefly to future indexing plans for the posted agenda document.

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Councilmember Johnson moved that the meeting be adjourned. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

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The meeting was adjourned at 9:48 p.m.

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Susan E. Crotts
Deputy City Clerk

Keith A. Holliday
Mayor
